

These 16 applicants have been seizure-free over a range of six years to 42 years while taking anti-seizure medication and maintained a stable medication treatment regimen for the last 2 years. In each case, the applicant's treating physician verified his or her seizure history and supports the ability to drive commercially.

The Agency acknowledges the potential consequences of a driver experiencing a seizure while operating a CMV. However, the Agency believes the drivers granted this exemption have demonstrated that they are unlikely to have a seizure and their medical condition does not pose a risk to public safety.

Consequently, FMCSA finds that in each case exempting these applicants from the epilepsy and seizure disorder prohibition in § 391.41(b)(8) is likely to achieve a level of safety equal to that existing without the exemption.

## V. Conditions and Requirements

The terms and conditions of the exemption are provided to the applicants in the exemption document and includes the following: (1) each driver must remain seizure-free and maintain a stable treatment during the 2-year exemption period; (2) each driver must submit annual reports from their treating physicians attesting to the stability of treatment and that the driver has remained seizure-free; (3) each driver must undergo an annual medical examination by a certified ME, as defined by § 390.5; and (4) each driver must provide a copy of the annual medical certification to the employer for retention in the driver's qualification file, or keep a copy of his/her driver's qualification file if he/she is self-employed. The driver must also have a copy of the exemption when driving, for presentation to a duly authorized Federal, State, or local enforcement official.

## VI. Preemption

During the period the exemption is in effect, no State shall enforce any law or regulation that conflicts with this exemption with respect to a person operating under the exemption.

## VII. Conclusion

Based upon its evaluation of the 16 exemption applications, FMCSA exempts the following drivers from the epilepsy and seizure disorder prohibition, § 391.41(b)(8), subject to the requirements cited above:

Cody Baker (IN)  
Reed Byrum (WV)  
Bradley Fullmer (UT)  
Cole Funk (PA)

Michael C. Hammond (SC)  
John Hammond (OR)  
Michael Modica, III (FL)  
Brent Nelson (UT)  
Roger Parker (NC)  
Kevin Revis (TX)  
Alexis E. Roldan (IL)  
Brian Runk (PA)  
Dominick Sempervive (NJ)  
William F. Smith (NC)  
Yoon Song (CA)  
Jerry Wise (PA)

In accordance with 49 U.S.C. 31315(b), each exemption will be valid for 2 years from the effective date unless revoked earlier by FMCSA. The exemption will be revoked if the following occurs: (1) the person fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained prior to being granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315(b).

Larry W. Minor,

*Associate Administrator for Policy.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2013-0109; FMCSA-2013-0442; FMCSA-2013-0444; FMCSA-2013-0445; FMCSA-2014-0381; FMCSA-2015-0320; FMCSA-2015-0323; FMCSA-2015-0326; FMCSA-2017-0252; FMCSA-2017-0253; FMCSA-2018-0050; FMCSA-2019-0033; FMCSA-2019-0206; FMCSA-2020-0046; FMCSA-2020-0047]

### Qualification of Drivers; Exemption Applications; Epilepsy and Seizure Disorders

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

**ACTION:** Notice of final disposition.

**SUMMARY:** FMCSA announces its decision to renew exemptions for 18 individuals from the requirement in the Federal Motor Carrier Safety Regulations (FMCSRs) that interstate commercial motor vehicle (CMV) drivers have "no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause loss of consciousness or any loss of ability to control a CMV." The exemptions enable these individuals who have had one or more seizures and are taking anti-seizure medication to continue to operate CMVs in interstate commerce.

**DATES:** Each group of renewed exemptions were applicable on the dates stated in the discussions below and will expire on the dates provided below.

**FOR FURTHER INFORMATION CONTACT:** Ms. Christine A. Hydock, Chief, Medical Programs Division, (202) 366-4001, [fmcsamedical@dot.gov](mailto:fmcsamedical@dot.gov), FMCSA, DOT, 1200 New Jersey Avenue SE, Room W64-224, Washington, DC 20590-0001. Office hours are from 8:30 a.m. to 5 p.m., ET, Monday through Friday, except Federal holidays. If you have questions regarding viewing or submitting material to the docket, contact Dockets Operations, (202) 366-9826.

## SUPPLEMENTARY INFORMATION:

### I. Public Participation

#### A. Viewing Comments

To view comments go to [www.regulations.gov](http://www.regulations.gov). Insert the docket number, FMCSA-2013-0109, FMCSA-2013-0442, FMCSA-2013-0444, FMCSA-2013-0445, FMCSA-2014-0381, FMCSA-2015-0320, FMCSA-2015-0323, FMCSA-2015-0326, FMCSA-2017-0252, FMCSA-2017-0253, FMCSA-2018-0050, FMCSA-2019-0033, FMCSA-2019-0206, FMCSA-2020-0046, or FMCSA-2020-0047 in the keyword box, and click "Search." Next, sort the results by "Posted (Newer-Older)," choose the first notice listed, and click "Browse Comments." If you do not have access to the internet, you may view the docket online by visiting Dockets Operations in Room W12-140 on the ground floor of the DOT West Building, 1200 New Jersey Avenue SE, Washington, DC 20590-0001, between 9 a.m. and 5 p.m., ET, Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366-9317 or (202) 366-9826 before visiting Dockets Operations.

#### B. Privacy Act

In accordance with 49 U.S.C. 31315(b)(6), DOT solicits comments from the public on the exemption request. DOT posts these comments, without edit, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov). As described in the system of records notice (DOT/ALL-14 FDMS), which can be reviewed at [www.dot.gov/privacy](http://www.dot.gov/privacy), the comments are searchable by the name of the submitter.

## II. Background

On July 5, 2022, FMCSA published a notice announcing its decision to renew exemptions for 18 individuals from the epilepsy and seizure disorders

prohibition in 49 CFR 391.41(b)(8) to operate a CMV in interstate commerce and requested comments from the public (87 FR 39889). The public comment period ended on August 4, 2022, and no comments were received.

FMCSA has evaluated the eligibility of these applicants and determined that renewing these exemptions would achieve a level of safety equivalent to, or greater than, the level that would be achieved by complying with § 391.41(b)(8).

The physical qualification standard for drivers regarding epilepsy found in § 391.41(b)(8) states that a person is physically qualified to drive a CMV if that person has no established medical history or clinical diagnosis of epilepsy or any other condition which is likely to cause the loss of consciousness or any loss of ability to control a CMV.

In addition to the regulations, FMCSA has published advisory criteria<sup>1</sup> to assist medical examiners in determining whether drivers with certain medical conditions are qualified to operate a CMV in interstate commerce.

### III. Discussion of Comments

FMCSA received no comments in this proceeding.

### IV. Conclusion

Based on its evaluation of the 18 renewal exemption applications, FMCSA announces its decision to exempt the following drivers from the epilepsy and seizure disorders prohibition in § 391.41(b)(8).

In accordance with 49 U.S.C. 31136(e) and 31315(b), the following groups of drivers received renewed exemptions in the month of July and are discussed below.

As of July 1, 2022, and in accordance with 49 U.S.C. 31136(e) and 31315(b), the following 14 individuals have satisfied the renewal conditions for obtaining an exemption from the epilepsy and seizure disorders prohibition in the FMCSRs for interstate CMV drivers (87 FR 39889):

David F. Bigler (MN)  
 Ronald Bohr (IA)  
 David P. Crowe (VA)  
 Heath Crowe (LA)  
 Michael Davis (ME)  
 Nathan Dermer (AK)  
 John Johnson (WI)  
 Anthony Kornuszko (PA)  
 Raymond Lobo (NJ)  
 Lucas Meeker (OH)

David Pamperin (WI)  
 Kevin Sprinkle (NC)  
 Stephen Soden (LA)  
 Michael Vitch (MS)

The drivers were included in docket number FMCSA–2013–0109, FMCSA–2013–0442, FMCSA–2013–0444, FMCSA–2014–0381, FMCSA–2015–0320, FMCSA–2015–0323, FMCSA–2015–0326, FMCSA–2017–0252, FMCSA–2017–0253, FMCSA–2018–0050, FMCSA–2019–0033, FMCSA–2019–0206, or FMCSA–2020–0046. Their exemptions were applicable as of July 1, 2022 and will expire on July 1, 2024.

As of July 14, 2022, and in accordance with 49 U.S.C. 31136(e) and 31315(b), Ronald Blount (GA) has satisfied the renewal conditions for obtaining an exemption from the epilepsy and seizure disorders prohibition in the FMCSRs for interstate CMV drivers.

This driver was included in docket number FMCSA–2013–0445. The exemption was applicable as of July 14, 2022 and will expire on July 14, 2024 (87 FR 39889).

As of July 21, 2022, and in accordance with 49 U.S.C. 31136(e) and 31315(b), the following three individuals have satisfied the renewal conditions for obtaining an exemption from the epilepsy and seizure disorders prohibition in the FMCSRs for interstate CMV drivers (87 FR 39889):

Sonny Chase (MN); Jason Miller (WI); and Michael Morris (OR).

The drivers were included in docket number FMCSA–2020–0047. Their exemptions were applicable as of July 21, 2022 and will expire on July 21, 2024.

In accordance with 49 U.S.C. 31315(b), each exemption will be valid for 2 years from the effective date unless revoked earlier by FMCSA. The exemption will be revoked if the following occurs: (1) the person fails to comply with the terms and conditions of the exemption; (2) the exemption has resulted in a lower level of safety than was maintained prior to being granted; or (3) continuation of the exemption would not be consistent with the goals and objectives of 49 U.S.C. 31136(e) and 31315(b).

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2022–18936 Filed 8–31–22; 8:45 am]

**BILLING CODE 4910–EX–P**

## DEPARTMENT OF TRANSPORTATION

[Docket No. DOT–OST–2022–0095]

### Notice of Request for Clearance of a Revision to a Currently Approved Information Collection: National Census of Ferry Operators

**AGENCY:** Bureau of Transportation Statistics (BTS) Office of the Assistant Secretary for Research and Technology (OST–R), DOT.

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the requirements of the Paperwork Reduction Act of 1995, this notice announces the intention of the BTS to request the Office of Management and Budget's (OMB's) approval for new iterations of an on-going biennial information collection related to the nation's ferry operations. The information collected from each Census will be used to produce a descriptive database of existing ferry operations. A summary report of census findings will also be published by BTS on the BTS web page: [www.bts.gov/ncfo](http://www.bts.gov/ncfo).

**DATES:** Comments must be submitted on or before October 31, 2022.

**ADDRESSES:** You may submit comments identified by DOT Docket ID Number DOT–OST–2022–0095 to the U.S. Department of Transportation (DOT), Dockets Management System (DMS). You may submit your comments by mail or in person to the Docket Clerk, Docket No., U.S. Department of Transportation, 1200 New Jersey Ave. SE, West Building Room W12–140, Washington, DC 20590. Comments should identify the docket number as indicated above. Paper comments should be submitted in duplicate. The DMS is open for examination and copying, at the above address, from 9 a.m. to 5 p.m., Monday through Friday, except federal holidays. If you wish to receive confirmation of receipt of your written comments, please include a self-addressed, stamped postcard with the following statement: “Comments on Docket DOT–OST–2022–0095.” The Docket Clerk will date stamp the postcard prior to returning it to you via the U.S. mail. Please note that due to delays in the delivery of U.S. mail to Federal offices in Washington, DC, we recommend that persons consider an alternative method (the internet, fax, or professional delivery service) to submit comments to the docket and ensure their timely receipt at U.S. DOT. You may fax your comments to the DMS at (202) 493–2251. Comments can also be viewed and/or submitted via the Federal

<sup>1</sup> These criteria may be found in Appendix A to Part 391—Medical Advisory Criteria, section H. *Epilepsy*: § 391.41(b)(8), paragraphs 3, 4, and 5, which is available on the internet at <https://www.gpo.gov/fdsys/pkg/CFR-2015-title49-vol5/pdf/CFR-2015-title49-vol5-part391-appA.pdf>.